

DATA SHEET

Z- _____
 SCZ- _____
 CU- _____
 DR- _____
 DP- 148

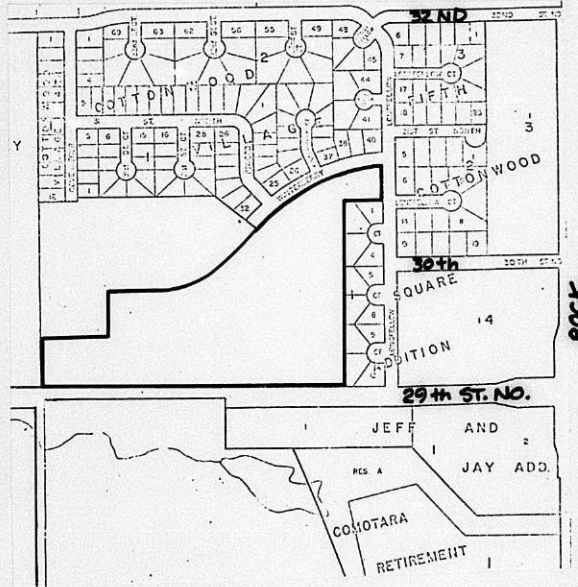
Amend _____
 Case Filed: 8-16-85
 Associated Case: Z-2717

- APPLICATION DATA: Map No. 5951B
- General Location: On the north side of 29th Street North in an area west of Longfellow.
 - From "AA" to "R-5"
 - Proposed Use: _____
 - DP Name: Cottonwood Residential C.U.P.
 - Applicant: Landmark Communities, Inc.
 Address 3500 N. Rock Road, #100 Wichita, KS 67226 Phone 686-7451
 - Agent: Bill C. Yung Design
 Address 8225 E. 35th St. North, Wichita, KS 67226 Phone 683-5567

- AREA DATA:
- Acres: 21.0 (_____ ft. by _____ ft.)
 - Adjoining Zoning: N "AA" S "AA" & "BB" E "A" W "AA"
 - Land Use: North East
South West

PICTURE SHEET

PHOTO DATA:
 Taken by _____ Date _____ Time _____



NOTES:

HASTINGS, ILL
 No. 2153C
 LOS ANGELES-CHICAGO-LOGAN, OH
 MEMPHIS-TULSA-COURT GROVE, GA
 USA
Speed

RE: AGENDA ITEM NO. *Tatb*

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

Z-2717 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING
DISTRICT TO THE "R-5" GENERAL RESIDENCE DISTRICT

6
DP-148 - COTTONWOOD RESIDENTIAL C.U.P.
Generally located on the north side of 29th Street
North in an area west of Longfellow.

MAPC HEARING DATE: 9-19-85

Acres: 21.0

Size: 1500' x 600' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA"
North	Undeveloped & single-family	"AA"
South	Undeveloped	"AA" & "BB"
East	Duplexes	"A"
West	Undeveloped & elementary school site	"AA"

History: None

Applicant: Landmark Communities, Inc., 3500 N. Rock Road, #100,
Wichita 67226

COMMENTS:

1. In accordance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of the Cottonwood Residential C.U.P. The proposed C.U.P. is located between 29th Street North and Winterberry in an area west of Longfellow and consists of 21 acres. Associated with the development plan is a zone change request for "R-5" zoning which would permit an overall density of 17.4 du/acre.
2. The development plan is divided into three parcels. Although alternate residential uses are permitted as specified, the anticipated uses are as follows:
Parcel 1 - church
Parcel 2 - garden apartments (350 d.u.'s)
Parcel 3 - duplexes
3. In order for the Planning Commission to recommend approval of this residential C.U.P., it must find specific evidence and facts showing that the proposed development meets the following conditions:
 - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.

4. A 25-foot landscape buffer is being proposed on the north and west sides of Parcel 2 if this parcel is developed with multi-family uses. General Provision #17 indicates the type of buffer they intend to achieve. There should be added to G.P.17 the usual wording about submission of the landscape plan to the Planning Department for review and approval.
 5. Since a church is proposed for Parcel 1, the setback chart in G.P.4 should include a line for the setbacks required for churches. It may reference the setbacks as being in accordance with the Zoning Ordinance or it may specify each setback.
 6. Since zero lot line and patio homes as well as duplexes are permitted uses in Parcel 2, the "Complete Access Control" to Winterberry as delineated should include the words "for multi-family uses only." The 30-foot setbacks along the east and west boundary lines of Parcel 2 should also include the words "for multi-family uses only."
 7. Should the Planning Commission determine that the zone change request is appropriate and find that the four conditions listed in Comment #3 have been satisfied, it is recommended that the zone change be approved subject to platting within one year after City Commission approval and subject to approval of the C.U.P. or the zone case be considered denied and closed, and that the C.U.P. be approved subject to the following conditions:
 - a. The following wording shall be added to General Provision #17:

A landscape plan prepared by a landscape architect for the landscape buffers indicating the type, location, and specification of plant material and method of providing water to the plant material, shall be submitted to the planning department for their review and approval prior to the issuance of building permits for Parcel 2.

A financial guarantee for the plant materials approved in the landscape plan shall be required prior to the issuance of any occupancy permit if the required landscaping has not been planted.
 - b. The setback chart in General Provision #4 shall be expanded to include the setbacks required for churches.
 - c. The words "for multi-family uses only" shall be added after the "complete access control" designation on Winterberry adjacent to the west portion of Parcel 2 and after the "30-foot setback" designation on the west and east sides of Parcel 2.
 - d. The property shall be platted within one year after City Commission approval of the C.U.P. or the application shall be considered denied and closed.
 - e. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - f. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
 - g. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.
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CASE NO. Z-2717 & DP-148

85 "Notices to Adjoining Property Owners" mailed on 9-5-85
for MAPC meeting on 9-19-85.
2 One each to Applicant and Agent.
3 One each to CPO, Karen Crook and Don Schneider.
3 One each to Glen Lytle, Louise Olivarez and Terry Smythe.

93 TOTAL

WICHITA-SEDCWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

September 5, 1985

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, September 19, 1985, the Wichita-Sedgwick County Metropolitan Area Planning Commission, (MAPC), at a meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for approval of the COTTONWOOD RESIDENTIAL COMMUNITY UNIT PLAN and an associated zone change from the "AA" One-Family Dwelling District to the "R-5" General Residence District for property legally described as follows:

DP-148 Beginning at a point on the west line of the SE $\frac{1}{4}$ of Section 31,
and Township 26 South, Range 2 East of the 6th P.M., said point
Z-2717 being 30' north of the southwest corner of said SE $\frac{1}{4}$; thence
N $0^{\circ}58'40''$ W, 250.00 feet along the west line of said SE $\frac{1}{4}$; thence
N $89^{\circ}04'12''$ E, 360.24 feet; thence N $0^{\circ}55'48''$ W, 218.00 feet;
thence N $89^{\circ}04'12''$ E, 280.00 feet; thence 328.53 feet a- long a
curve to the left having a radius of 386.47 feet, a cen- tral angle
of $48^{\circ}42'23''$, and a long chord bearing N $64^{\circ}43'01''$ E, 318.73 feet;
thence N $40^{\circ}21'49''$ E, 225.48 feet to the south point of Winterberry
as platted in Cottonwood Village 5th, an addition to Wichita,
Sedgwick County, Kansas; thence 738.17 feet along a curve to the
right having a radius of 914.93 feet, a central angle of $46^{\circ}13'35''$
and a long chord bearing N $63^{\circ}28'36''$ E, 718.31 feet to the
northwest corner of Longfellow as platted in Cottonwood Square, an
addition to Wichita, Sedgwick County, Kansas; thence $S0^{\circ}55'48''$ E,
168.14 feet along the west line of said Longfellow; thence S
 $89^{\circ}04'12''$ W, 210.00 feet; thence S $0^{\circ}55'48''$ E, 911.00 feet along the
west line of said Cot-tonwood Square to the north Right-of-way line
of 29th Street North; thence S $89^{\circ}04'12''$ W, 1517.03 feet along the
North Right-of-way line of 29th Street North, said line being 30.00
feet North of and parallel to the south line of said SE $\frac{1}{4}$, to the
point of beginning.
Generally located on the north side of 29th Street
North in an area west of Longfellow.

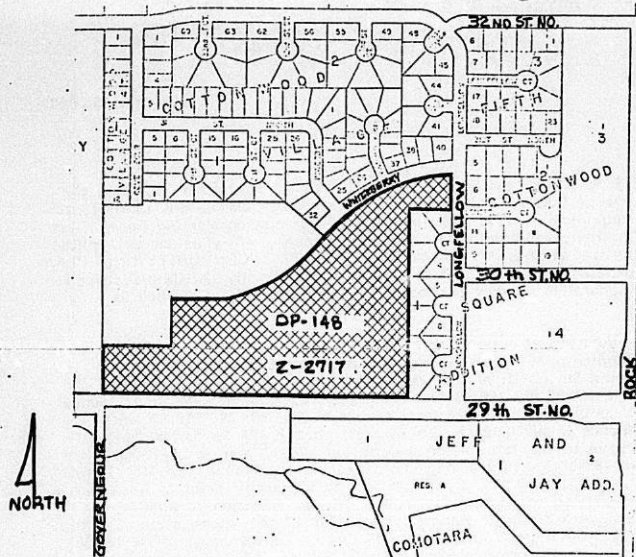
The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The Development Plan proposes three parcels totaling 21 acres. Parcel 1, fronting on 29th Street North east of Gouverneur, is a two-acre church site; Parcel 2, an 18-acre site between 29th Street and Winterberry, is proposed for a maximum of 350 garden apartments; Parcel 3, a one-acre site at the southwest corner of Longfellow and Winterberry, is for four duplex units. Alternate residential land uses, such as patio homes and townhouses, are provided for in Parcels 1 and 2. Building setbacks, access controls, parking ratios and other information relating to future development is shown on the plan.

The hearing of the proposed Development Plan and rezoning request is to be held and will there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and Board of City Commissioners. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.



DISTRICT	NAME OF DISTRICT AND USES PERMITTED (FOR COMPLETE REGULATIONS AND EXCEPTIONS - SEE TEXT OF ORDINANCE)	
AA	ONE FAMILY DWELLINGS	One family dwellings, parks, schools, libraries, golf courses, nurseries, churches
A	TWO FAMILY DWELLINGS	Uses permitted in "AA" district and two family dwellings, care homes (5 or less)
RB	FOUR FAMILY DWELLINGS	Any use permitted in "AA" or "A" districts and four family dwellings
R-5	GENERAL RESIDENCE DISTRICT	Any use permitted in more restrictive districts and multiple family dwellings. Density: 17.5 dwelling units per acre
R-6	GENERAL RESIDENCE DISTRICT	Any use permitted in more restrictive districts and multiple family dwellings. Density: 29 dwelling units per acre
B	MULTIPLE FAMILY DWELLING	Any use permitted in more restrictive districts and multiple family dwellings, boarding houses, medical offices, hospitals, greenhouses, parking lots. Density: 75 dwelling units per acre
BB	OFFICE DISTRICT	Any uses permitted in more restrictive districts any general offices, medical laboratories
OC	OFFICE COMMERCIAL DISTRICT	Offices, limited retail and service uses operated within a building, and residential uses as permitted in the "R-5" district
LC	LIGHT COMMERCIAL DISTRICT	Any use permitted in more restrictive districts and purely retail business operated in a building
C	COMMERCIAL DISTRICT	Uses permitted in more restrictive districts and other uses not offensive because of dust, noise, odor or smoke
E	LIGHT INDUSTRIAL DISTRICT	All industrial and commercial uses except those most offensive because of noise, dust, odors and smoke; and except residential uses
F	HEAVY INDUSTRIAL DISTRICT	Any use, some conditional upon specific approval of City Commission; except residential uses
Special Districts		
D	CENTRAL BUSINESS DISTRICT	Those uses permitted in the "C" district and more restrictive districts and other uses not offensive because of dust, noise, odor or smoke
G	MOBILE HOME	Mobile home park, when complying with Title 26 of the City Code, schools, churches, parks, day nurseries, home occupations
U	UNIVERSITY	Universities, colleges, seminaries and other institutions of learning and related uses
CUP	COMMUNITY UNIT PLAN	Commercial residential. Permits those uses approved as part of a total development plan

() Published in the Daily Record on August 27, 1985 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

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and Township 26 South, Range 2 East of the 6th P.M., said point
Z-2717 being 30' north of the southwest corner of said SE $\frac{1}{4}$; thence
N 0°58'40" W, 250.00 feet along the west line of said SE $\frac{1}{4}$;
thence N 89°04'12" E, 360.24 feet; thence N 0°55'48" W, 218.00
feet; thence N 89°04'12" E, 280.00 feet; thence 328.53 feet a-
long a curve to the left having a radius of 386.47 feet, a cen-
tral angle of 48°42'23", and a long chord bearing N 64°43'01" E,
318.73 feet; thence N 40°21'49" E, 225.48 feet to the south
point of Winterberry as platted in Cottonwood Village 5th, an
addition to Wichita, Sedgwick County, Kansas; thence 738.17
feet along a curve to the right having a radius of 914.93 feet,
a central angle of 46°13'35" and a long chord bearing N 63°28'
36" E, 718.31 feet to the northwest corner of Longfellow as
platted in Cottonwood Square, an addition to Wichita, Sedgwick
County, Kansas; thence S0°55'48"E, 168.14 feet along the west
line of said Longfellow; thence S 89°04'12" W, 210.00 feet;
thence S 0°55'48" E, 911.00 feet along the west line of said Cot-
tonwood Square to the north Right-of-way line of 29th Street
North; thence S 89°04'12" W, 1517.03 feet along the North Right-
of-way line of 29th Street North, said line being 30.00 feet North
of and parallel to the south line of said SE $\frac{1}{4}$, to the point of
beginning. Generally located on the north side of 29th Street
North in an area west of Longfellow.

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The hearing of the proposed Development Plan and rezoning request is to be held and will there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 26th day of August, 1985.

Michael E. Lindebak, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning
Commission

851213131=94
(SEAL)

WICHITA-SEDCWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: September 4, 1985

TO: DP-148 File

FROM: Louise Olivarez, Senior Planner, Current Plans *L.O.*

SUBJECT: Meeting to discuss preliminary C.U.P.

On August 23, 1985, Bill Yung met with Jack Galbraith and me to discuss the Cottonwood residential C.U.P. We questioned the 45-ft. to 55-ft. building heights and said we could support that only if the setbacks from the parcel boundaries were increased. Bill said he thought he had specified heights greater than 35 feet on other C.U.P.'s in this area with no problem. I checked DP-73 and DP-96 and discovered that heights of up to 60 feet are specified for some parcels. However, with the proximity of DP-148 to other developed areas, we would still support increased heights only if setbacks are increased. Even with a 35-ft. height limitation, we prefer the setback on Parcel 2 where it abuts single-family or duplex lots to be greater than now indicated (10 feet).

We questioned the need for 3 openings to 29th from Parcel 2. Bill said they wanted to keep their options open in case this parcel develops under two separate projects. We requested access control on Winterberry across from the single-family lots which front onto Winterberry. Asked if they would landscape the entire 25-foot setback from Winterberry on Parcel 2, not just a 10-ft. strip. It does not have to be continuous or solid landscaping but the parking lots and other objectionable areas should be screened from direct view. No landscape strip needed on north line of Parcel 3.

If there is to be the option of 10 d.u.'s on Parcel 1, the overall maximum d.u. count would be 374 or 17.84 d.u./acre which is more than allowed in "R-5" zoning. Bill said he could reduce the number of units in Parcel 2.

Bill is to make the changes we agreed to and get me 14 prints by 9-5-85.

? DP-148

Assoc with Z-2717

Cottonwood Residential C.U.P.

APPLICATION FOR COMMUNITY UNIT PLAN
(PLANNED RESIDENTIAL OR COMMERCIAL DEVELOPMENT)
FOR PROPERTY LOCATED WITHIN THE LIMITS OF THE
CITY OF WICHITA, KANSAS

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.

a. Applicant Landmark Communities, Inc.

Address 3500 N. Rock Road, #100, Wichita, KS 67226 Phone 636-7451

Agent Bill G. Yung Design ✓

Address 8225 E. 35th North, Wichita, KS 67226 Phone 683-5567

b. Applicant _____

Address _____ Phone _____

Agent _____

Address _____ Phone _____

c. Applicant _____

Address _____ Phone _____

Agent _____

Address _____ Phone _____

(Use separate sheet if necessary for names of additional applicants).

2. a. The applicant hereby requests Community Unit Plan approval on property

zoned AA and legally described as Lot(s) N/A

N/A, Block(s) N/A,

N/A Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet.)

See attached legal description.

2. b. There are 21.0 acres (round to nearest tenth) in the above

described property.

T9-330-3

Revised 8/80

MAP 5951B (N) AA (S) AA+BB (E) A (W) AA MAPC 9-19-85

3. The general location is on the north side of 29th St. North in an area west of Longfellow (use appropriate section)

at the Northwest corner of Longfellow and 29th Street North; or

on the N/A side of N/A (Avenue, Street) between N/A (Avenue, Street) and N/A (Avenue, Street).

4. I (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (we) realize that this application cannot be processed unless it is completely filled in and accompanied by a current abstractor's certificate as required in the instruction sheet.

Philip A Bundy
By Phil Bundy Authorized Agent (if any) By _____ Authorized Agent (if any)

By _____ Authorized Agent (if any) By _____ Authorized Agent (if any)

5. OFFICE USE ONLY

This application was received at the Planning Department at 4 (AM, PM) on 8-16-85 (Day, Month, Year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 500⁰⁰.

Louise Oliveira Name
S. Plummer Title

ownership list to come

COTTONWOOD C.U.P.

Beginning at a point on the west line of ^{the SE 1/4} southeast Quarter of Section 31, Township 26 South, Range 2 East, of the 6th P.M., said point being 30' north of the southwest corner of said southeast Quarter; thence N 0° 58' 40" W, 250.00 feet, along the west line of said southeast Quarter; thence N 89° 04' 12" E, 360.24 feet; thence N 0° 55' 48" W, 118.00 feet; thence N 89° 04' 12" E, 280.00 feet; thence 328.53 feet along a curve to the left having a radius of 386.47 feet, a central angle of 48° 42' 23", and a long chord bearing N 64° 43' 01" E, 318.73 feet; thence N 40° 21' 49" E, 225.48 feet to the south point of Winterberry as platted in Cottonwood Village 5th, an addition to Wichita, Sedgwick County, Kansas; thence 738.17 feet along a curve to the right having a radius of 914.93 feet, a central angle of 46° 13' 35" and a long chord bearing N 63° 28' 36" E, 718.31 feet to the northwest corner of Longfellow as platted in Cottonwood Square, an addition to Wichita, Sedgwick County, Kansas; thence S 0° 55' 48" E, 168.14 feet along the west line of said Longfellow; thence S 89° 04' 12" W, 210.00 feet; thence S 0° 55' 48" E, 911.00 feet along the west line of said Cottonwood Square to the north Right-of-way line of 29th Street North; thence S 89° 04' 12" W, 1517.03 feet along the North Right-of-way line of 29th Street North, said line being 30.00 feet North and parallel to the south line of said southeast Quarter, to the point of beginning. ~~Containing 20.96 acres.~~

OK

(same legal as the associated recording)

FORM 29-025

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION		AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	

*

This DP File
Has a Large Drawing
On 35mm Microfilm.

Roll # 1

*